



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

10136-H
36-00764-S
FORT MYERS SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901
(941) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (941) 338-2936 • www.sfwmd.gov/org/exo/ftmyers/

CON 24-06

February 18, 2000

Bonita Farms
3994 Merchantile Avenue
Naples, FL 33942

Dear Permittee:

**Subject: Reminder: Annual Above Ground Impoundment Inspection/Certification
Report, Permit # 36-00764-S, Bonita Farms, S17,20/T47S/R26E, Lee County**

This letter is to remind you that an Annual Above Ground Impoundment Inspection/Certification report must be submitted to this District in March of each year pursuant to special condition of the subject permit and Florida Statute 373.423(3).

This annual inspection and certification must be directed, prepared, signed and sealed by a Florida Registered Professional Engineer. The report must certify that the subject dam(s), reservoir(s), impoundment(s) and appurtenant work or works are in compliance with this District's permit requirements and are adequate to protect the public health and safety and the natural resources of the state. The attached "Above Ground Impoundment Inspection/Certification Checklist" may be used by your engineer as a guide. Although the checklist attempts to be fairly complete, it should not be interpreted as being limiting and/or all inclusive in any particular case. The certifying engineer is responsible for the scope of the inspection and the contents of the report. The report must also detail, if applicable, what repairs are necessary.

If repairs are necessary the inspecting engineer must immediately report, in writing, to this District and the permittee as to which of the following interim impoundment operational restrictions will apply until all needed repairs are completed and accepted by the inspecting engineer and this District:

- (1) none, as the impoundment remains capable of safely storing water above ground to its permitted maximum stage; or
- (2) the impoundment is temporarily restricted for water storage to a specific lower interim stage elevation [in feet NGVD] as must be determined and specified by the inspecting engineer; or
- (3) the impoundment is not safe for any above ground storage of water.

GOVERNING BOARD

Michael Collins, *Chairman*
Michael D. Minton, *Vice Chairman*
Mitchell W. Berger

Vera M. Carter
Gerardo B. Fernandez
Patrick J. Gleason

Nicolas J. Gutierrez, Jr.
Harkley R. Thornton
Trudi K. Williams

EXECUTIVE OFFICE

Frank R. Finch, P.E., *Executive Director*
James E. Blount, *Chief of Staff*

SERVICE CENTER

Chip Merriam, *Director*

Bonita Farms
February 18, 2000
Page 2

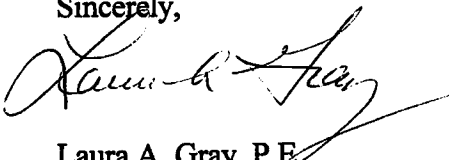
If the inspecting engineer reports that either condition (2) or (3) above exists and actual impoundment water levels exceed or are expected to exceed the specified interim safe storage level during the repair process, the permittee must then immediately coordinate with this District's Field Engineering Division to accomplish all necessary controlled water releases in a manner that does not cause adverse water resource impacts. Further, the permittees must then continue to maintain all impoundment stages at or below the specified interim safe level until all repairs are completed and accepted by the inspecting engineer and this District. [Please note that if any needed repairs deviate from the permit authorization, a permit modification may be required prior to construction.]

When all needed repairs have been completed, the permittee's Professional Engineer must then inspect and submit a certified report to this District detailing same, with a statement that the impoundment is once again certified and safe for full storage of water to the permitted stage.

If the impoundment(s) on the subject site is/are not yet complete and structurally cannot impound water, please respond to us in writing so we can update our files. In such case, the subject report is not now required by this District.

Otherwise, we look forward to receiving the subject report (at the area office address referred to on this letterhead) no later than March 31, 2000. If you have any questions, please contact me at (941) 338-2929 in Ft. Myers.

Sincerely,



Laura A. Gray, P.E.
Staff Engineer
Ft. Myers Service Center
South Florida Water Management District

LG
enclosure



10136-H

South Florida Water Management District

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045
TDD (561) 697-2574 • www.sfwmd.gov

CON 24-06

June 28, 1999

Bonita Farms
3994 Merchantile Avenue
Naples, FL 33942

Dear Permittee:

VIOLATION WARNING NOTICE

Subject: Second Notice of Noncompliance - Annual Dike Inspection Report, Permit # 36-00764-S, Bonita Farms, S17,20/T47S/R26E, Lee County

The above ground impoundment, addressed in the staff report associated with the referenced Permit, has been constructed and is operational on the subject site. Special Condition No. 15a and 15b, stipulated in the referenced permit, requires that Certified Annual Dike Inspection Reports be submitted to our District in March of each year.

The required Dike Inspection Report for 1999 has not been received by our District, which subsequently puts you in noncompliance of Rule 40E-4.381(2), **Florida Administrative Code**. Please provide the above referenced annual dike inspection report within 15 (fifteen) days of receipt of this letter. If this information is not received within 15 days, we may initiate enforcement action (which may include civil penalties and recovery of costs) in order to mandate compliance. The required report must be prepared, signed and sealed by a Florida Registered Professional Engineer to bring this project into compliance with the referenced rule.

Your prompt attention and cooperation in this matter is expected. If you have any questions, please contact me at (561) 682-6593.

Sincerely,


Jeffrey E. Gronborg
Staff Engineer
Environmental Resource Compliance Division

JG

CERTIFIED MAIL NO. Z 308 997 440

Governing Board:
Michael Collins, *Chairman*
Michael D. Minton, *Vice Chairman*
Mitchell W. Berger

Vera M. Carter
Gerardo B. Fernandez
Patrick J. Gleason

Nicolas J. Gutierrez, Jr.
Harkley R. Thornton
Trudi K. Williams

James Harvey, *Interim Executive Director*
Michael Slayton, *Deputy Executive Director*
Trevor Campbell, *Deputy Executive Director*

Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680

SCANNED

10136-H



South Florida Water Management District

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045
TDD (561) 697-2574 • www.sfwmd.gov

CON 24-06

April 28, 1999

Bonita Farms
3994 Merchantile Avenue
Naples, FL 33942

Dear Permittee:

NOTICE OF NONCOMPLIANCE

Subject: Reminder: Annual Above Ground Impoundment Inspection/Certification Report, Permit # 36-00764-S, Bonita Farms, S17,20/T47S/R26E, Lee County

In accordance with the Special Conditions of your Surface Water Management Permit, you are required to submit an annual above ground impoundment inspection/certification report, which is to be signed and sealed by a Florida Registered Professional Engineer and is due in March of each year. In order to remain in compliance with your permit, you are required to submit the required inspection report within 30 days of receipt of this letter. The annual report is now overdue and you are in violation of your Special Conditions. If you do not meet the required deadline, the District will be forced to pursue action to mandate compliance.

If you have any questions, please call me at 561-687-6593. Thank you for your cooperation.

Sincerely,



Jeffrey E. Gronberg
Staff Engineer
Environmental Resource Compliance Division

JG

Governing Board:

Michael Collins, *Chairman*
Michael D. Minton, *Vice Chairman*
Mitchell W. Berger

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CON 24-06

January 26, 1998

Bonita Farms
3994 Merchantile Avenue
Naples, FL 33942

Dear Permittee:

Subject: Reminder: Annual Above Ground Impoundment Inspection/Certification Report, Permit # 36-00764-S, Bonita Farms, S17,20/T47S/R26E, Lee County

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This annual inspection and certification must be directed, prepared, signed and sealed by a Florida Registered Professional Engineer. The report must certify that the subject dam(s), reservoir(s), impoundment(s) and appurtenant work or works are in compliance with this District's permit requirements and are adequate to protect the public health and safety and the natural resources of the state. The attached "Above Ground Impoundment Inspection/Certification Checklist" may be used by your engineer as a guide. Although the checklist attempts to be fairly complete, it should not be interpreted as being limiting and/or all inclusive in any particular case. The certifying engineer is responsible for the scope of the inspection and the contents of the report. The report must also detail, if applicable, what repairs are necessary.

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- (2) the impoundment is temporarily restricted for water storage to a specific lower interim stage elevation [in feet NGVD] as must be determined and specified by the inspecting engineer; or
- (3) the impoundment is not safe for any above ground storage of water.

INED

Governing Board:

Frank Williamson, Jr., Chairman
Eugene K. Pettis, Vice Chairman
Mitchell W. Berger

Vera M. Carter
William E. Graham
William Hammond

Richard A. Machek
Michael D. Minton
Miriam Singer

Samuel E. Poole III, Executive Director
Michael Slayton, Deputy Executive Director

January 26, 1998

Page 2

If the inspecting engineer reports that either condition (2) or (3) above exists and actual impoundment water levels exceed or are expected to exceed the specified interim safe storage level during the repair process, the permittee must then immediately coordinate with this District's Field Engineering Division to accomplish all necessary controlled water releases in a manner that does not cause adverse water resource impacts. Further, the permittees must then continue to maintain all impoundment stages at or below the specified interim safe level until all repairs are completed and accepted by the inspecting engineer and this District. [Please note that if any needed repairs deviate from the permit authorization, a permit modification may be required prior to construction.] When all needed repairs have been completed, the permittee's Professional Engineer must then inspect and submit a certified report to this District detailing same, with a statement that the impoundment is once again certified and safe for full storage of water to the permitted stage.

If the impoundment(s) on the subject site is/are not yet complete and structurally cannot impound water, please respond to us in writing so we can update our files. In such case, the subject report is not now required by this District.

Otherwise, we look forward to receiving the subject report (at the area office address referred to on this letterhead) no later than March 31, 1998. If you have any questions, please contact me at (561) 687-6593 in West Palm Beach after February 19, 1998.

Sincerely,



for Jeffrey E. Gronborg
Staff Engineer
Field Engineering Division
South Florida Water Management District

JG
enclosure

SCANNED

10136-H

Z 308 997 440

4030
JL

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Bonita Farms	
Street & Number	
3994 Merchantile	
Post Office, State, & ZIP Code	
Naples, FL 33942	
Postage	\$ 3.33
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.98
Postmark or Date	
36-00764-5	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Bonita Farms
3994 Merchantile
Naples, FL 33942

4a. Article Number

Z 308 997 440

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery

6/30

5. Received By: (Print Name)

JL

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

Return Receipt

SCANNED